



March 13, 2015

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# ENGROSSED SENATE BILL No. 437

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DIGEST OF SB 437 (Updated March 11, 2015 11:23 am - DI 96)

**Citations Affected:** IC 9-21.

**Synopsis:** Compression release engine brakes. Provides that it is a Class C infraction for a person to drive a motor vehicle equipped with compression release engine brakes unless the motor vehicle is equipped with a muffler in good working condition so that excessive noise is prevented, with certain exceptions.

**Effective:** July 1, 2015.

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**Hershman, Yoder, Miller Patricia**  
(HOUSE SPONSORS — TRUITT, LEHE)

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January 12, 2015, read first time and referred to Committee on Homeland Security & Transportation.

February 3, 2015, reported favorably — Do Pass.

February 5, 2015, read second time, ordered engrossed. Engrossed.

February 9, 2015, read third time, passed. Yeas 47, nays 2.

HOUSE ACTION

March 3, 2015, read first time and referred to Committee on Roads and Transportation.

March 12, 2015, reported — Do Pass.

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ES 437—LS 7332/DI 96





March 13, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## ENGROSSED SENATE BILL No. 437

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A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 9-21-8-44.5, AS AMENDED BY P.L.119-2012,  
2 SECTION 104, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2015]: Sec. 44.5. (a) As used in this section,  
4 "compression release engine brake" means a hydraulically operated  
5 device that converts a power producing diesel engine into a power  
6 absorbing retarding mechanism.

7 (b) A person who drives a motor vehicle equipped with compression  
8 release engine brakes on the Indiana toll road in a county having a  
9 population of more than one hundred fifty thousand (150,000) but less  
10 than one hundred seventy thousand (170,000) may not use the motor  
11 vehicle's compression release engine brakes instead of the service  
12 brake system, except in the case of failure of the service brake system.

13 (c) **This subsection does not apply to a motor vehicle that has**  
14 **compression release engine brakes with a factory installed muffler**  
15 **or an equivalent after market muffler. A person may not drive a**  
16 **motor vehicle equipped with compression release engine brakes**

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1 unless the motor vehicle is equipped with a muffler in good  
2 working condition so that excessive noise is prevented.



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security & Transportation, to which was referred Senate Bill No. 437, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 437 as introduced.)

YODER, Chairperson

Committee Vote: Yeas 9, Nays 0

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 437, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 437 as printed February 4, 2015.)

SOLIDAY

Committee Vote: Yeas 11, Nays 1

